



5-21-03

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#23**REQUEST FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000 provides for continued examination of a utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA)

Application Number: 09/378,759

Filing Date: August 23, 1999

First Named Inventor: FOX et al.

Group Art Unit: 1646

Examiner: M. Brannock

Attorney Docket Number: 6843.0027-03000

Attorney Customer Number: 22,852

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This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

Note: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) instead of a RCE to be eligible for patent term adjustment provisions of the AIPA. See "Changes to Application Examination and Provisional Application Practice," Interim Rule, 65 Fed. Reg. 14865 (March 20, 2000). Off. Gaz. Pat. Office 47 (April 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114:**a. ☒ Previously submitted**

i. ☒ Consider the Amendment and Response after final under 37 C.F.R. § 1.116 previously filed on February 19, 2003. A Petition for One Month Extension of Time was not required to file that Amendment and Response because the PTO was closed on the due date, February 18, 2003, due to snow.

ii. ☐ Consider the arguments in the Appeal Brief of Reply Brief previously filed on _____.

iii. ☐ Other _____

b. ☐ Enclosed:

i. ☐ Amendment/Reply

ii. ☐ Affidavit(s)/Declaration(s)

iii. ☐ Information Disclosure Statement

iv. ☐ Other _____

2. Miscellaneous

a. ☐ Suspension of action on the above-mentioned application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; fee under 37 C.F.R. § 1.17(i) required.)

b. ☐ Other _____

3. Fees

05/22/2003 AWONDAF1 00000102 09378759

a. ☒ The filing fee is calculated as follows:

01 FC:1801

750.00 OP

i. ☒ \$750.00 RCE fee required under 37 C.F.R. § 1.17(e)

ii. ☒ Petition for Three Month Extension of Time \$930.00

iii. ☐ Other _____

b. ☒ Check in the amount of \$1,680.00 enclosed.

c. ☒ The Commissioner is authorized to charge any deficiencies in the filing fees, or credit any overpayments to Deposit Account No. 06-0916.

Signature of Applicant, Attorney, or Agent Required

Name: Rebecca B. Scarr

Reg. No.: 47,057

Signature:

Date: May 19, 2003

CERTIFICATE UNDER 37 CFR § 1.10 OF MAILING BY "EXPRESS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Services "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Name: Nancy Foster

Express Mail Label No.: EV 352476005 US

Signature:

Date: May 19, 2003